

MAR 19 2003

PATENT
1110-0280P



Applicant:	Takehiro YATOMI	Conf.:	1332
Appl. No.:	09/701,486	Group:	1648
Filed:	November 29, 2000	Examiner:	Z. Lucas
For:	PREVENTIVES/REMEDIES FOR AUTOIMMUNE DEMYELINATING DISEASES		

Assistant Commissioner for Patents
Washington, DC 20231

March 17, 2003

Transmitted herewith is an amendment in the above-identified application.

- ☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
- ☐ The enclosed document is being transmitted via facsimile.

The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	5	-	20	=	0	\$18	\$0.00
INDEPENDENT	1	-	3	=	0	\$84	\$0.00
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM						\$280	\$0.00
						TOTAL	\$0.00

Appl. No. 09/701,486

- ☐ Petition for () month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$0.00 for the extension of time.
- ☒ No fee is required.
- ☐ Check(s) in the amount of \$0.00 is(are) enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By *ma Armstrong*
Gerald M. Murphy, Jr., #28,977

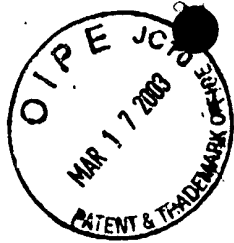
MaryAnne Armstrong, PhD., #40,069

GMM/MAA/csm
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ATTACHMENT

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IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Takehiro YATOMI Conf: 1332
Appl. No.: 09/701,486 Group: 1648
Filed: November 29, 2000 Examiner: Z. Lucas
For: PREVENTIVES/REMEDIES FOR AUTOIMMUNE
DEMYELINATING DISEASES

RESPONSE

Assistant Commissioner for Patents
Washington, DC 20231

March 17, 2003

Sir:

The following Remarks are respectfully submitted in supplemental to the response filed on December 31, 2002, entry of which was requested with the Request for Continued Prosecution filed on March 3, 2003, and in response to the Office Action issued October 1, 2002 and Advisory Action issued on January 28, 2003.

REMARKS

Rejections under 35 U.S.C. §102

The Examiner maintains the rejection of claims 1, 6 and 7 under 35 U.S.C. §102 as being anticipated by Wallach et al., U.S. Pat. No. 6,339,327. In the Advisory Action of January 28, 2003, the Examiner maintains the rejection and addresses Applicant's arguments with the assertion that the MORT-1 protein would be considered a "Fas-ligand" because it binds to Fas and that the protein of the '327 patent that binds to MORT-1 would be considered an "a substance that inhibits Fas-Fas ligand binding."

However, the Examiner's interpretation of the the '327